

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JOSEPH MURPHY and NANCY MURPHY,

Plaintiffs,

-against-

STUART SNYDER, DOREEN SNYDER,  
BSEA ASSOC. LLC, S&D DEVELOPMENT LLC,  
S&D DEVELOPERS LIMITED LIABILITY CO.,  
S&D DEVELOPMENT INC., MICHAEL MAISEL,  
NEIL SHIRVAN, 42 EVERETT LLC, 40 BOGERT  
ROAD LLC and S&D CONTRACTING, INC.,

Defendants.

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APPEARANCES:

For Plaintiffs: William Edward Vita, Esq.  
Westerman Ball Ederer  
Miller & Sharfstein, LLP  
1201 RXR Plaza  
Uniondale, NY 115011556

For Defendants: Marc A. Greenberg, Esq.  
Law Office of David Watkins  
285 Closter Dock Rd  
Closter, NJ 07624

SEYBERT, District Judge:

In this breach of contract case, Defendants have repeatedly ignored their discovery obligations and violated the orders of Magistrate Judge William D. Wall. Judge Wall, in a Report and Recommendation dated July 28, 2011 (the "R&R"), recommended that Defendants' answer be stricken and that Plaintiffs be awarded a default judgment. The time for objections has passed, and this Court finds the R&R to be

MEMORANDUM & ORDER  
10-CV-1513(JS)(WDW)

comprehensive, well-reasoned, and free from clear error.

Accordingly, the R&R is ADOPTED in its entirety. Defendants' answer shall be stricken and Plaintiffs are awarded a default judgment. Within forty-five (45) days from the date of this Order, Plaintiffs shall submit to Judge Wall papers in support of their damages. Additionally, the Clerk of the Court is directed to terminate Docket Entry 39.

SO ORDERED.

/s/ JOANNA SEYBERT  
Joanna Seybert, U.S.D.J.

Dated: September 14, 2011  
Central Islip, New York